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In re Application of	:	
Harazim	:	
Serial No.: 10/530,820	:	
PCT No.: PCT/DE03/02366	:	DECISION ON
Int. Filing Date: 14 July 2003	:	
Priority Date: 14 July 2002	:	PETITION
Attorney's Docket No.: RWS-P244	:	
For: METHOD FOR THE SEPARATION OF	:	UNDER 37 CFR 1.137(b)
RESIDUAL GASSES AND WORKING FLUID	:	
IN A COMBINED CYCLE WATER/STEAM	:	
PROCESS	:	

This decision is responsive to the "PETITION FOR REVIVAL UNDER 37 C.F.R. § 1.137(b) OF PATENT APPLICATION DESIGNATION THE U.S. ABANDONED UNINTENTIONALLY" filed 09 April 2005.

**BACKGROUND**

On 14 July 2003, applicants filed international application PCT/DE03/02366, which claimed priority of an earlier German application filed 14 July 2002. Accordingly, the thirty-month period for paying the basic national fee for the national stage in the United States expired at midnight on 14 January 2005.

On 08 April 2005, applicants filed the current petition along with a transmittal letter for entry into the national stage in the United States. The transmittal letter was accompanied by, *inter alia*, a petition to revive, a signed declaration, a translation and the authorization to charge the credit card for the petition to revive fee and for the basic national fee. These papers were assigned Application No. 10/530,820.

### **DISCUSSION**

A petition under 37 CFR 1.137(b) requesting that the application be revived on the grounds of unintentional delay must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied (1) by a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional," (2) by a proper reply, (3) by the petition fee required by law (37 CFR 1.17(m)), and (4) if the international filing date of the application is before June 8, 1995, any petition to revive under 37 CFR 1.137(b) must be accompanied by a terminal disclaimer and small entity fee of \$55

Applicants have provided the required statement, a proper reply and the petition fee. Therefore, the petition to revive is GRANTED.

### **CONCLUSION**

The petition to revive the application abandoned under 35 U.S.C. 371(d) is **GRANTED** as to the National Stage in the United States of America.

This application is being forwarded to the national stage office for preparation of a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) showing a 35 U.S.C. 371 date of **08 April 2005**.



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